

**REMARKS**

**INTRODUCTION:**

In accordance with the foregoing, claims 3, 7, 11, 13, 15 and 16 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 3-9, and 11-16 are pending and under consideration. Reconsideration is respectfully requested.

**AMENDMENT OF CLAIMS TO CORRECT ANTECEDENT BASIS:**

Claims 3, 7, 11, 13, and 15 have been amended to correct antecedent basis due to the cancellation of claims 2 and 10, respectively.

**REJECTION UNDER 35 U.S.C. §102:**

A. In the Office Action, at pages 2-3, numbered paragraphs 2-3, claim 16 was rejected under 35 U.S.C. §102(b) as being anticipated by Foote et al. (USPN 6,339,211; hereafter, Foote). This rejection is traversed and reconsideration is requested.

Claim 16 has been amended to recite, in part: "wherein the heating portion comprises: a heat pipe; an insulating material surrounding the heat pipe; and a resistive coil winding the insulating material and heating the heat pipe." It is respectfully submitted that Foot does not teach or suggest a fusing device of an electrophotographic image forming apparatus having a heating portion comprises: a heat pipe; an insulating material surrounding the heat pipe; and a resistive coil winding the insulating material and heating the heat pipe, as is recited in amended claim 16.

Thus, amended claim 16 is submitted not to be anticipated under 35 U.S.C. §102(b) by Foote et al. (USPN 6,339,211).

B. In the Office Action, at page 3, numbered paragraphs 4-5, claim 16 was rejected under 35 U.S.C. §102(e) as being anticipated by Zhou et al. (USPN 6,564,033; hereafter, Zhou). This rejection is traversed and reconsideration is requested.

Claim 16 has been amended to recite, in part: "wherein the heating portion comprises: a heat pipe; an insulating material surrounding the heat pipe; and a resistive coil winding the insulating material and heating the heat pipe." It is respectfully submitted that Zhou does not teach or suggest a fusing device of an electrophotographic image forming apparatus having a heating portion comprises: a heat pipe; an insulating material surrounding the heat pipe; and a resistive coil winding the insulating material and heating the heat pipe, as is recited in amended claim 16.

Thus, amended claim 16 is submitted not to be anticipated under 35 U.S.C. §102(e) by Zhou et al. (USPN 6,564,033).

**ALLOWABLE SUBJECT MATTER:**

In the Office Action, at page 3, claims 1, 3-9 and 11-15 were allowed.

Applicants thank the Examiner for her careful consideration and allowance of said claims. It should be noted that claims 3, 7, 11, 13 and 15 have been amended to correct antecedent basis due to the cancellation of claims 2 and 10, respectively.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: September 8, 2005

By: Darleen J. Stockley  
Darleen J. Stockley  
Registration No. 34,257

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501